

SEP 28 1983

EXECUTIVE SECRETARY
THROUGH: Assistant Secretary (Enforcement and Operations)

Commissioner of Customs (Signed) William von Raab

Withholding of Release of Merchandise from Soviet Union Which
May be Produced by Convict, Forced, or Indentured Labor

Submitted for your approval is a document prepared for publication in the Federal Register which advises that in accordance with section 307, Tariff Act of 1930 (19 U.S.C. 1307) and section 12.42, Customs Regulations (19 CFR 12.42), I have determined on the basis of information reasonably available that certain articles from the Soviet Union may be now, or are likely to be, imported into the United States, which are being produced whether by mining, manufacture, or other means, with the use of convict, forced, or indentured labor. While we realize that section 12.42 does not necessarily require publication of this type of notice, we believe the importing public deserves notice of actions of this magnitude. In addition, publication removes any possible legal objections based upon lack of notice.

We propose that, effective 5 days from the date of publication of the notice in the Federal Register, the release for consumption or withdrawal from warehouse for consumption of the specified articles, be withheld. Customs officers will be instructed to withhold release of any such articles pending instructions as to whether they may be released otherwise than for exportation.

As you are aware, in February of this year, the Department of State, in a letter of transmittal accompanying its Report To The Congress On Forced Labor In The USSR, declared that forced labor is used "to produce large amounts of primary and manufactured goods for both domestic and Western export markets." Senator William L. Armstrong of Colorado has inquired as to what Customs is doing to prevent such articles from being imported into the United States. Further, the lack of enforcement of 19 U.S.C. 1307 is raised in an article on forced labor in the Soviet Union published in the Reader's Digest in September 1983. I believe

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that many other members of Congress and the American public are also concerned with this matter and would support this effort on our part to ensure that such articles are not imported. Accordingly, it is recommended that you approve the document as soon as possible.

Approved _____

Disapproved _____

MMAmernick:sl:9/28/83